

## REMARKS

Claims 1-33 are pending in the present application, of which Claims 1, 13, and 24 are independent. In the Office Action, Claims 1-33 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,709,188, issued to Ushimaru (hereinafter "Ushimaru"). In view of claim amendments and remarks herein, applicant respectfully requests reconsideration and submits that Claims 1-11, 13-22, and 24-32 are in condition for allowance.

### Claim Amendments

Independent Claims 1, 13, and 24 are presently amended to include the limitations of Claims 12, 23, and 33, respectively. Accordingly, Claims 12, 23, and 33 are canceled.

### Claim Rejections Under 35 U.S.C. § 102(e)

Claims 1-33 are rejected under 35 U.S.C. § 102(e) as being anticipated by Ushimaru. As noted in MPEP § 2131, a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). For at least the reasons set forth below, applicant respectfully submits that Ushimaru does not teach or suggest each and every element of Claims 1-11, 13-22, and 24-32.

### Ushimaru

Referring to Figs. 4 and 5, Ushimaru teaches a fitting structure for a knob having a knob 25 and a fitting member 20. The knob 25 includes a round front wall 25a and a cylindrical side wall 25b extending backward from the circumference of the front wall 25a (Col. 8, lines 30-33). A plurality of projections 26 protrude backward (inward) from the front wall 25a so that they are positioned within the side wall 25b (Col. 8, lines 34-36). The knob 25 further includes a plurality of hooks 27 and keep pieces 28 protruding inward within the cylindrical side

wall 25b, the hooks 27 and keep pieces 28 arranged to alternate around the circumference of the side wall 25b (Col. 8, lines 38-43).

Still referring to Figs. 4 and 5, the fitting member 20 has a base 21 with a substantially flat front wall 21a and a cylindrical side wall 21b extending backward from the circumference of the front wall 21a (Col. 8, lines 8-12). A plurality of arcwise guides 22 protrude forward from the front wall 21 of the base 21, with a gap 23 provided between each pair of adjacent guides 22 (Col. 7, lines 62-66). Rectangular through holes 21c are located on the front wall 21a of the base 21 to coincide with the gaps 23 (Col. 8, lines 17-20). The base 21 further includes an annular first fitting portion 24 and an annular second fitting portion 24a arranged to protrude from the rear end of the cylindrical side wall 21b (Col. 7, line 67-col. 8, line 7).

When the knob fitting structure is assembled, the projections 26 are caught in the gaps 23, and the tops 26a of the projections 26 are fitted into the first through holes 21c, which coincide with the gaps, thereby coupling the knob 25 to the fitting member 20 (Col. 9, lines 21-34). Thus, as shown in Figs. 4 and 5, the engagement of the projections 26 with the sides of the arcwise guides 22 and the first through holes 21c prevents the knob 25 from rotating about a central axis of the knob fitting structure relative to the fitting member 20. At the same time, the engagement of the hooks 27 with the gap between the first and second fitting portions 24, 24a prevents the knob 25 from moving in an axial direction relative to the fitting member 20.

Claims 1, 13, and 24 are not Product-by-Process Claims

As a preliminary matter, applicant notes that in the Office Action, the Examiner asserts that Claims 1 and 13 are product-by-process claims because of the limitation "by interference of the first engagement surface with the first interference surface." The Examiner further asserts that Claim 24 is a product-by-process claim because of the limitation "by engagement of a first

protrusion against a limit stop." Consequently, the Examiner asserts that the claims are "not construed as being limited to the product formed by the specific process recited. *In re Hirao et al.* 535 F2d 67, 190 U.S.P.Q 15 (CCPA 1976)."

Applicant respectfully submits that the recited limitations are not processes by which a product is made, but are instead *structural* limitations of the claimed devices. That is, the claims do not recite a knob attachment assembly in a locked position produced "by interference of the first engagement surface with the first interference surface" or "by engagement of a first protrusion against a limit stop." Instead, these claim limitations describe *structural* limitations of the knob attachment assemblies when the devices are in a locked position. Accordingly, because the claims do not recite processes, but instead recite structural limitations of the claimed devices, the citation to *In re Hirao et al.* is not relevant to the present claims. Nonetheless, Claims 1, 13, and 24 have are presently amended to clarify the structural nature of these limitations.

#### Claims 1, 13, and 24

As presently amended, Claims 1, 13, and 24 recite a control device housing and an actuation member having a central axis. These claims further recite a gripping device that is "selectively couplable to the actuation member and [is] rotatable about the central axis of the actuation member between a locked position, wherein . . . , and an unlocked position, wherein the gripping device is selectively removable from the actuation member." In contrast, Ushimaru does not teach or suggest that the disclosed knob 25 is rotatable about the central axis of the fitting member 20 between a locked position and an unlocked position, wherein the knob 25 is selectively removable from the fitting member 20.

Instead, Ushimaru teaches the knob 25 coupled to the fitting member 20 by the engagement of the projections 26 with the sides of the guides 22 and the engagement of the tops 26a of the projections 26 with the through holes 21c. These engagements prevent the

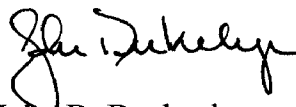
knob 25 from rotating about a central axis relative to the fitting member 20. Ushimaru does not teach or suggest that the projections can be disengaged from the guides 22 or that the tops 26a of the projections 26 can be disengaged from the through holes 21c by rotating the knob 25 relative to the fitting member 20. Accordingly, Ushimaru does not teach or suggest that the knob 25 can be rotated relative to the fitting member 20 "between a locked position, wherein . . . , and an unlocked position, wherein the gripping device is selectively removable from the actuation member."

For at least the foregoing reasons, Ushimaru does not teach or suggest each and every feature of Claims 1, 13, and 24, as presently amended. Accordingly, applicant respectfully submits that Claims 1, 13, and 24 are in condition for allowance. Further, if Claims 1, 13, and 24 are allowed, then Claims 2-11, 14-22, and 25-32, which depend therefrom, should also be allowed. Finally, the dependent claims of the present application add further patentable features not found in the cited references of record.

#### Conclusion

An early and favorable action issuing Claims 1-11, 13-22, and 24-32 is respectfully requested. The Examiner is invited to contact the undersigned with any questions that may arise with regard to this matter.

Respectfully submitted,  
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